

Express Mail Label No.: **EM 028420467 US** Date: **August 30, 2007**

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In re Application of:

Vega MASIGNANI

Serial No.: 10/552,192

International Application No.: PCT/IB04/01440

I.A. Filing Date: April 8, 2004

For: ADP-RIBOSYLATING TOXIN FROM
LISTERIA MONOCYTOGENES

Confirmation No.: 8434

Group Art Unit: 1646

Examiner: To Be Assigned

REPLY TO THE NOTIFICATION OF DEFECTIVE RESPONSEMail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the "Notification of Defective Response" mailed July 30, 2007 from the United States Patent and Trademark Office, the following documents are enclosed herewith:

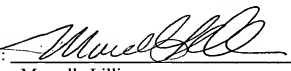
1. **COPY** of Notification of Defective Response.
2. **TRANSMITTAL OF SUBSTITUTE SEQUENCE LISTING INCLUDING:**
Statements Under 37 C.F.R. 1.821(f) and (g), including statement specifically directing entry of the substitute sequence listing into the application.
Substitute Paper Copy of the Sequence Listing (9 pages).
Substitute Compact Disk Containing CRF Copy of Sequence Listing (1 CD).
3. **RETURN RECEIPT POSTCARD.**

Applicant respectfully requests entry of the substitute paper copy of this sequence listing at the end of the specification.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment in fees that may be due in this matter to Deposit Account No. 03-1664.

Respectfully submitted,
NOVARTIS VACCINES AND DIAGNOSTICS, INC.

Dated: 8/30/07

By: 
Marcella Lillis
Registration No. 36,583

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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 Alexandria, Virginia 22313-1459
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U.S. APPLICATION NUMBER NO.

10/552,192

FIRST NAMED APPLICANT

Vega Masignani

ATTY. DOCKET NO.

PP02009.0003

INTERNATIONAL APPLICATION NO.

PCT/IB04/01440

I.A. FILING DATE

04/08/2004

PRIORITY DATE

04/09/2003

27476

NOVARTIS VACCINES AND DIAGNOSTICS INC.
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 Emeryville, CA 94662-8097

CONFIRMATION NO. 8434

371 FORMALITIES LETTER



OC000000024770629

Date Mailed: 07/30/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 10/06/2005
- Copy of the International Search Report filed on 10/06/2005
- Preliminary Amendments filed on 10/06/2005
- Information Disclosure Statements filed on 10/06/2005
- Biochemical Sequence Diskette filed on 06/01/2007
- Oath or Declaration filed on 12/05/2006
- Biochemical Sequence Listing filed on 06/01/2007
- U.S. Basic National Fees filed on 10/06/2005
- Priority Documents filed on 10/06/2005
- Specification filed on 10/06/2005
- Claims filed on 10/06/2005
- Abstracts filed on 10/06/2005
- Drawings filed on 10/06/2005
- Paper nucleotide sequence listings filed on 10/06/2005

DOCKETED on/by

Atty. *CMH* PAFile # *PP02009.0003*

Due Date

Final Date

5/9/12-05-PC

Applicant's response filed 06/01/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 07/05/2006 have not been completed.

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,192	PCT/IB04/01440	PP02009.0003